IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Nobuo Mochizuki, et al.
Application No.: 10/553, 108
Filed: October 12, 2005
Confirmation No.: 8647
Art Unit: 1626
Examiner; Havlin, Robert H.
For: PHENYLAZOLE COMPOUND, PRODUCTION PROCESS THEREFOR AND ANTIOXIDANT

DECLARATION UNDER 37 CFR §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Seiichi Uchida, hereby declare and state that:

1. I am a citizen of Japan, residing at 524-17, Higashi-koiso Oiso-machi, Naka-gun, Kanagawa, 255-0004, Japan.

2. I am one of the co-inventors of the U.S. patent application identified above, and I am fully familiar with the subject matter thereof as well as the references relied upon by the Examiner in the prosecution of this application.

3. I obtained a Master's degree from the Department of Pharmaceutical Sciences of Nagoya City University in March, 1982, where I studied the zymology of the lysosomal ATPase of chicken's liver.

4. I am currently employed by Nippon Soda Co., Ltd., and began working for

Nippon Soda Co., Ltd., in April, 1982, whereat I have been engaged in research on drug discovery.

5. In order to satisfy the Examiner's requirement, I conducted the following tests using Compounds 37 and 3-19 at each dose of 30 mg/kg.

Each of Compounds 37 and 3-19 was dissolved in dimethyl sulfoxide (DMSO, with a final concentration of 20% by mass), and then suspended in an aqueous physiological saline solution containing 1% by mass of polyethylene hardened castor oil (manufactured by Nikko Chemicals Co., Ltd., under the trademark of NIKKOL HCO-60). Each obtained sample was administered orally to three male SD rats (aged 6 weeks, purchased from Japan SLC, Inc.) at a dose of 30 mg/kg. In a control-administration group, a mixture liquid in which 20% by mass of DMSO and 1% by mass of polyethylene hardened castor oil were formulated in an aqueous physiological saline solution was administered orally to three male SD rats at 5 mg/kg. An hour after the administration, the brain of each animal was removed under anesthesia. The lipid peroxide activity in a homogenate of each brain was measured in the same way as that of Example 3 described in the present specification. Each inhibition rate of *ex vivo* lipid peroxide action in the brain by Compound 3-19 or 37 was determined from the amounts of lipid peroxide formed in the control-administration group and Compound 3-19- or 37- administration group. The results are shown in the following table.

Compound No.	Inhibition rate of *ex vivo* lipid peroxide action in the brain (%)			Average (%)	SD
Compound 37	64	52	49	55	7.9
Compound 3-19	16	30	10	19	10.3

As shown in the above, the inhibition rate of Compound 37 was significantly high in comparison with that of Compound 3-19.

(Conclusion)

The above-mentioned results suggest that Compound 37 exhibits significantly enhanced antioxidative action in the brain in comparison with Compound 3-19.

6. I understand fully the content of this declaration.

7. I, Seiichi Uchida, the undersigned declarant, declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001, of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 24 day of September, 2008.

Seiichi Uchida

(Seiichi Uchida)